I hereby certify that this correspondence is being electronically filed in the United States Patent and Trademark Office on January 23, 2009.

Frank C. Eisenschenk, Ph.D., Patent Attorney

ELECTION UNDER 35 U.S.C. § 121 Patent Application Docket No. SER.100X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Aditi Dutt

Art Unit : 1649

Applicants : Christopher Hug, Harvey F. Lodish

Serial No. : 10/553,430

Filed: October 18, 2005

Conf. No. : 3770

For : Use of T-Cadherin as a Target

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313

ELECTION UNDER 35 U.S.C. § 121

AND SUPPLEMENTAL PRELIMINARY AMENDMENT

Sir:

In response to the written Restriction Requirement dated December 23, 2008 in the aboveidentified patent application, Applicants hereby elect to prosecute the invention of Group V (claims 59-64), without traverse. As the species, Applicants hereby elect metabolic disorders. As the metabolic disorder, Applicants hereby elect obesity. As the candidate modulator, Applicants hereby elect soluble form of T-cadherin.

Prior to examination, Applicants respectfully request that the subject application be amended as follows: